

## **SECTION 13.0 - AMENDMENTS**

### **13.1 POWER TO AMEND**

The County Board may from time to time amend, supplement, or change by ordinance the boundaries of districts, or regulations herein established.

### **13.2 PETITIONS**

Petitions by interested persons to rezone or reclassify any property and the reasons in support thereof shall be filed with the County Zoning Officer along with a fee to partially defray the expense of investigation and consideration, which fee shall be collected by the County Clerk, who shall account for the same to the County, except when an amendment is proposed by county zoning authorities, no fee shall be required.

### **13.3 PROCEDURES**

Upon any application for a proposed amendment, supplement, or change being properly filed with the County Zoning Officer, The County Zoning Officer shall refer the proposed amendment to the Logan County Regional Planning Commission, hereinafter referred to as the Planning Commission. The Planning Commission shall make a recommendation to the Zoning Board. The recommendation shall be forwarded to the Zoning Board within thirty (30) days after the Planning Commission's decision. The Zoning Board, after holding a public hearing in accordance with the notice requirements in Section 11.6, shall consider the Planning Commission's recommendation and applicable approval criteria and shall make a recommendation to the County Board. The recommendation shall be forwarded to the County Board within thirty (30) days after the Zoning Board's decision. The County Board shall consider the Zoning Board's recommendation and applicable approval criteria and shall approve, modify, or disapprove the amendment.

Hearings on text amendments shall be held in the court house of the county or other county building with more adequate facilities for such hearings. Hearings on map amendments shall be held in the township or road district affected by the terms of such proposed amendment or in the court house, or other county building with more adequate facilities for such hearings. No proposed amendment shall be defeated because of improperly mailed notices, if the Zoning Board is satisfied that the applicant has made diligent effort to list all property owners in the application, in accordance with notice requirements in section 11.6, for a proposed map amendment.

### **13.4 PASSAGE OF AMENDMENT**

Amendments may be passed at a County Board meeting by a simple majority of the elected County Board members, except a favorable vote of 3/4 of all the members of the County Board will be required in the following instances:

1. Written protests against the proposed text amendment that are signed by 5% of the land owners of the county or by resolution of the corporate authorities of a zoned municipality;
2. Written protests against the proposed map amendment that is either:

- a. signed by the owner or owners of at least 20% of the land to be rezoned, or
- b. signed by the owner or owners of land immediately touching, or immediately across a street, alley, or public right-of-way from, at least 20% of the perimeter of the land to be rezoned, or in cases where the land affected lies within 1 1/2 miles of the limits of a zoned municipality, by resolution of the corporate authorities of the zoned municipality.

3. If a township located within a county with a population of less than 600,000 has a plan commission and the plan commission objects to a text amendment or a map amendment affecting an unincorporated area of the township, then the township board of trustees may submit its written objections to the County Board within 30 days after the hearing before the Board of Appeals.

Written protests shall be filed with the County Clerk.

A copy of the written protest shall be served by the protestor or protestors on the applicant for the proposed amendment and a copy upon the applicant's attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed amendment.

Notwithstanding any other provision of this Section, if a map amendment is proposed solely to correct an error made by the county as a result of a comprehensive rezoning by the county, the map amendments may be passed at a County Board meeting by a simple majority of the elected board.